

07-27-01

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of) Examiner: Not Assigned
Jacob Bar-Tana) Group Art Unit: Not Assigned
Serial No: Not Assigned) Customer No.: 25213
Filed: July 25, 2001)
For: **Carboxylic Acids And Derivatives**)
Thereof And Pharmaceutical)
Compositions Containing Them)
Docket No.: 23117-0002 DIV 1)

REQUEST FOR FILING A DIVISIONAL
APPLICATION UNDER 37 C.F.R. §1.53(b)

Express Mail Label No.: EL 912 435 446 US

Mailed in Palo Alto, CA on: July 25, 2001

BOX PATENT APPLICATION

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

This is a request for filing a divisional application under 37 C.F.R. § 1.53(b), of pending prior application Serial No. 09/104,880, filed June 25, 1998, of Jacob Bar-Tana, for **CARBOXYLIC ACIDS AND DERIVATIVES THEREOF AND PHARMACEUTICAL COMPOSITIONS CONTAINING THEM**

1. Enclosed is a true copy of the prior complete application as filed, including the specification (including claims), drawings, sequence listing, oath or declaration showing the signature or an indication it was signed, and any amendments referred to in the oath or declaration filed to complete the prior application.
2. This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above. With respect to the prior copending U.S. application from which this application claims benefit under 35 U.S.C. § 120, the inventor(s) in this application is (are):

/ X / the same.

/ less than those named in the prior application and it is requested that the following inventors identified above for the prior application be deleted:

3. /X/ The filing fees are to be calculated on the claims as filed in the prior application and the claims remaining as a result of the:

/ amendment below;

/X/ attached Preliminary Amendment.

FILING FEE CALCULATION

| Description | Claims | Extra | Rate | Fee Code | Fee |
|--------------------|----------|-------|--------|----------|-----|
| Basic Filing Fee | | | | 201 | 355 |
| Independent Claims | 5 - 3= | 2 x | \$40 = | 202 | 80 |
| Total Claims | 20 - 20= | 0 x | \$9 = | 203 | 0 |

Total Filing Fee \$435

4. Payment of Filing Fees:

/X/ A check in the amount of \$395, is enclosed herewith.

/X/ The Commissioner is authorized to charge any additional fees and to credit any overpayment of fees which may be required under 37 C.F.R. §1.16 and §1.17, to Deposit Account No. 08-1641, referencing Docket No. 23117-0002 DIV 1. **A duplicate copy of this paper is attached.**

5. Please amend the specification by inserting on page 1, line 1, -- This application is a divisional of copending application Serial No. 09/104,880, filed June 25, 1998, which is hereby incorporated herein by reference. --.

6. The prior application is assigned of record to: YISSUM RESEARCH DEVELOPMENT COMPANY OF HEBREW UNIVERSITY OF JERUSALEM

7. The power of attorney in the prior application is to: William Schmonsees

/X/ The power appears in the original papers in the prior application.

/ A Power of Attorney and Revocation of Prior Powers is enclosed.


8. Please address correspondence in this matter to:

**William Schmonsees
Heller Ehrman White & McAuliffe
275 Middlefield Road
Menlo Park, CA 94025-3506**

9. Documents enclosed:

- /X/ Enclosed is a true copy of the prior complete application as filed, including the specification (including claims), drawings, oath or declaration showing the signature or an indication it was signed;
- /X/ Preliminary Amendment;
- /X/ Information Disclosure Statement and Form 1449;
- /X/ Check in the amount of \$395; and
- /X/ Return Receipt Postcard.

Respectfully submitted,

By: 

William Schmonsees
Registration No. 31,796

Heller Ehrman White & McAuliffe LLP
275 Middlefield Road
Menlo Park, CA 94025-3506
Direct Dial: (650) 324-7041
Facsimile: (650) 324-0638
Date: July 25, 2001

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